

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE VIRTUS INVESTMENT  
PARTNERS, INC.  
SECURITIES LITIGATION

Case No. 15-cv-1249 (WHP)

ECF Case

**NOTICE OF MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment, the Declaration of Shannon K. McGovern, Esq., dated October 6, 2017, and the exhibits attached thereto, the Declaration of Jeffrey T. Cerutti, dated October 6, 2017, and the exhibits attached thereto, the Declaration of Francis G. Waltman, dated October 5, 2017, and the exhibits attached thereto, the Declaration of Dr. Stephen J. Choi, dated October 5, 2017, and the exhibit attached thereto, and the Declaration of Russell J. Wermers, Ph.D., dated October 5, 2017, and the exhibits attached thereto, Defendants Virtus Investment Partners, Inc., Virtus Opportunities Trust, George R. Aylward, Michael A. Angerthal, Jeffrey T. Cerutti, and Francis G. Waltman (collectively, "Defendants"), by and through their undersigned attorneys, will move this Court, before the Honorable William H. Pauley III, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, on January 18, 2018 at 2:00 p.m., for an Order granting Defendants' Motion for Summary Judgment pursuant to Federal Rule of Civil Procedure 56.

Dated: October 6, 2017  
New York, New York

By: /s/ Joseph M. McLaughlin

Joseph M. McLaughlin

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